



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

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San Francisco, CA 94105-3901

JAN 06 2010

Mr. David Gedeon
Project Manager
Federal Highway Administration
Central Federal Lands Highway Division
12300 West Dakota Avenue
Lakewood, CO 80228

Subject: Draft Supplemental Environmental Impact Statement (DSEIS) for Saddle Road
(State Route 200), Mamalahoa Highway (State Route 190) to Milepost 41, Hawai'i
County, Hawai'i (CEQ # 20090392)

Dear Mr. Gedeon:

The U.S. Environmental Protection Agency (EPA) has reviewed the document referenced above. Our comments are provided pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508) and our NEPA review authority under Section 309 of the Clean Air Act.

In 1999 the FHWA published a Final Environmental Impact Statement (FEIS) for Saddle Road, from Mamalahoa Highway to Milepost 6. Following our review of the FEIS, EPA had no objections to proposed improvements on Saddle Road between Mamalahoa Highway and Milepost 41. In 2006, The U.S. Army Garrison, Hawai'i, acquired the Keamuku parcel which is traversed by the proposed western section of Saddle Road (W-3). The DSEIS evaluates a new western alignment alternative for Saddle Road to maximize army training opportunities on the parcel and minimize conflict with the traveling public.

EPA rates the new proposed alignment (W-7) as Lack of Objections (LO) (see enclosed *Summary of EPA Rating Definitions*). Implementation of the new alignment, combined with proper mitigation, should not result in significant environmental impacts. Information provided in the DSEIS indicates that Alternative W-7 does not impact any waters of the U.S., including wetlands, lakes or jurisdictional ephemeral streams. Additionally, no surface drainages that connect the W-7 corridor to navigable waterways were identified, and coastal waters are a minimum of nine miles from the project area. As such, EPA does not anticipate any impact to water quality as a result of project implementation. In addition, while the document identifies that there will be no adverse air quality impacts, EPA supports the implementation of stringent dust control and construction equipment emission control measures during construction in order to reduce temporary impacts to air quality.

The DSEIS concludes that there will be little or no growth-related impacts as a result of the proposed project. Residential uses in the area are limited to large (≥ 700 acres) agricultural parcels, and there is very limited opportunity for commercial or industrial development given the zoning and State and County plans. Should there be any changes to current zoning or development plans prior to the release of the Final Supplemental Environmental Impact Statement (FSEIS), EPA recommends that this information, as well as any additional impacts, be discussed in that document.

The Saddle Road project area is already heavily invaded by the alien species that flourish in the region, and thus construction and operation of W-7 is not likely to play a large role in the introduction of new invaders. However, as many of the invasive species found in the project area tend to thrive on disturbance (e.g. *Pennisetum setaceum*), EPA recommends that the FSEIS address the feasibility of implementing active restoration with native species for all graded areas and cut/ fill slopes that result from project construction.

EPA commends the FHWA and the Hawaii Department of Transportation (HDOT) on the involvement with communities in the vicinity of the project area as summarized in the DSEIS. EPA recommends that coordination between government agencies, Native Hawaiian groups, community associations, land owners, and other individuals continue through the remainder of the project planning process. We appreciate the opportunity to review this DSEIS. When the FSEIS is released, please send one hard copy to the address above (Mail Code CED-2). If you have any questions, please contact me (415-947-4161) or Clifton Meek, the lead reviewer for this project. Clifton can be reached at 415-972-3370 or meek.clifton@epa.gov.

Sincerely,



Connell Dunning, Transportation Team Supervisor
Environmental Review Office
Communities and Ecosystems Division

Enclosed: Summary of EPA Rating Definitions

CC: Robert Deroche, Army Corps of Engineers
Ken Tatsuguchi, Hawaii Department of Transportation
Melissa Dickard, Federal Highway Administration
Pat Phung, Federal Highway Administration

SUMMARY OF EPA RATING DEFINITIONS*

This rating system was developed as a means to summarize the U.S. Environmental Protection Agency's (EPA) level of concern with a proposed action. The ratings are a combination of alphabetical categories for evaluation of the environmental impacts of the proposal and numerical categories for evaluation of the adequacy of the Environmental Impact Statement (EIS).

ENVIRONMENTAL IMPACT OF THE ACTION

"LO" (Lack of Objections)

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

"EC" (Environmental Concerns)

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

"EO" (Environmental Objections)

The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

"EU" (Environmentally Unsatisfactory)

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

ADEQUACY OF THE IMPACT STATEMENT

"Category 1" (Adequate)

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

"Category 2" (Insufficient Information)

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analysed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

"Category 3" (Inadequate)

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analysed in the draft EIS, which should be analysed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From EPA Manual 1640, Policy and Procedures for the Review of Federal Actions Impacting the Environment.